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Dated: October 2, 2006

Signature: R. Kader

(Rabiya S. Kader)

Docket No.: TEVNHC 3.0-031
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David O'Leary

Application No.: 09/888,199

Filed: June 23, 2001

For: RESERVOIR PRESSURE SYSTEM FOR
MEDICAMENT INHALER

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: Group Art Unit: 3743
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: Examiner: N. B. Patel
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE

Dear Sir:

The present communication is responsive to the Official Action mailed June 2, 2006. A petition for a one-month extension of the term for response to said Official Action, to and including October 2, 2006, is transmitted herewith.

Claim 1 of the pending application has been rejected as being anticipated by U.S. Patent 5,048,729 to Pritchard (hereinafter "the '729 Patent"). Claims 2-17 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. The Examiner is thanked for his indication of allowable subject matter. However, the rejection is hereby traversed.

A claimed invention is anticipated only if all of the claimed elements are shown in a single prior art reference. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Thus, to be anticipatory, the prior art must describe the exact composition.